

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**FACTORY MUTUAL INSURANCE  
COMPANY, INC.,**

**Plaintiff,**

**v.**

**RASMUSSEN MECHANICAL, INC.,**

**Defendant.**

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**CASE NO. 8:12CV399**

**ORDER IN LIMINE**

This matter is before the Court on the Motions in Limine (Filing No. 40) submitted by Defendant Rasmussen Mechanical, Inc.

Having considered the parties' respective arguments,

**IT IS ORDERED:**

1. Defendant Rasmussen Mechanical, Inc.'s Motions in Limine (Filing No. 40) are granted in part, as follows:
  - a. Jurors will be permitted to take notes at trial, following opening statements of counsel;
  - b. The parties' fact witnesses will be sequestered during the presentation of evidence, consistent with Fed. R. Evid. 615, but witnesses providing solely expert testimony will not be sequestered;
  - c. The parties will make no reference to the "financial condition" of either party;
  - d. To the extent that any settlement discussions have taken place between the parties, no reference will be made to such discussions, consistent with Fed. R. Evid. 408;
  - e. Plaintiff Factory Mutual Insurance Company, Inc., will be precluded from making reference to any insurance coverage that Defendant Rasmussen Mechanical, Inc., may or may not have, applicable to the claims presented in this matter; and

2. The Motions in Limine (Filing No. 40) are otherwise denied, without prejudice to the Defendant asserting objections at the time of trial.

DATED this 20<sup>th</sup> day of February, 2014.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge